

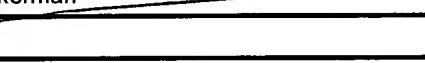

**TRANSMITTAL
FORM**

(be used for all correspondence after initial filing)

Total Number of Pages in This Submission

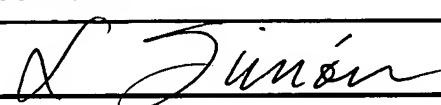
13

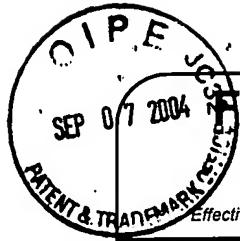
| | |
|------------------------|--------------------|
| Application Number | 10/826,175 |
| Filing Date | April 15, 2004 |
| First Named Inventor | Guy, Rodney Kiplin |
| Art Unit | 1614 |
| Examiner Name | Not yet assigned |
| Attorney Docket Number | 018062-006310US |

| ENCLOSURES (Check all that apply) | | |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application (See "Other Enclosures" Box) <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none"> • Return Postcard • COMMUNICATION UNDER 37 C.F.R. §§ 1.821-1.825 AND PRELIMINARY AMENDMENT and DISK • COPY of Notice to File Missing Parts of Nonprovisional Application |
| | <input type="button" value="Remarks"/> | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |
| Firm or Individual name | Townsend and Townsend and Crew LLP Joel G. Ackerman | |
| Signature |  | |
| Date | Reg. No. 24,307 September 2, 2004 | |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | | |
|-----------------------|---|------|-------------------|
| Typed or printed name | Lois M. Simón | | |
| Signature |  | Date | September 2, 2004 |



FEET TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 55

Complete if Known

| | |
|----------------------|--------------------|
| Application Number | 10/826,175 |
| Filing Date | April 15, 2004 |
| First Named Inventor | Guy, Rodney Kiplin |
| Examiner Name | Not yet assigned |
| Art Unit | 1614 |
| Attorney Docket No. | 018062-006310US |

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None
 Deposit Account:

Deposit Account Number

20-1430

Deposit Account Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|------------------------|----------|
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
| | | | | X | |
| | | | | X | |
| | | | | X | |

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description |
|----------|----------|----------|----------|--|
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Fee Code | Fee (\$) | Small Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|---------------------------|----------|----------|--------------|----------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | | | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | | | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | | | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | | | For filing a request for reexamination | |
| 1804 | 920* | 1804 | 920* | | | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | | | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | | | Extension for reply within first month | 55 |
| 1252 | 420 | 2252 | 210 | | | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | | | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | | | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | | | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | | | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | | | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | | | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | | | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | | | Petition to revive – unavoidable | |
| 1453 | 1,330 | 2453 | 665 | | | Petition to revive – unintentional | |
| 1501 | 1,330 | 2501 | 665 | | | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | | | Design issue fee | |
| 1503 | 640 | 2503 | 320 | | | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | | | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | | | Petitions related to provisional applications | |
| 1806 | 180 | 1806 | 180 | | | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | | | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | | | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | | | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | | | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | | | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | | | | | |

*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$55)

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|-----------------|-----------------------------------|--------|-----------|-------------------|
| Name (Print/Type) | Joe G. Ackerman | Registration No. (Attorney/Agent) | 24,307 | Telephone | 415-576-0200 |
| Signature | | | | Date | September 2, 2004 |

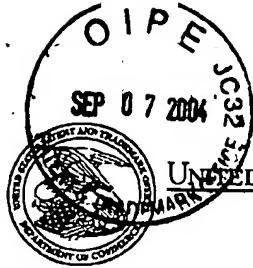
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www.uspto.gov

Page 1 of 2
T F W

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/826,175 | 04/15/2004 | R. Kiplin Guy | 018062-006310US |

20350
TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 9792
FORMALITIES LETTER



OC000000013094797

Date Mailed: 06/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

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COPY

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE